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April 8, 2010

BY HAND DELIVERY

The Honorable Victor Marrero
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 660
New York, New York 10007

**Re: The Bank of New York Trust Company, N.A. v. Franklin Advisers, Inc. et al.,
07-cv-01746 (VM) (GWG)**

Dear Judge Marrero:

This firm represents Defendant-in-Interpleader/Cross-Claimant Franklin Advisers, Inc. ("Franklin Advisers") in the above-referenced proceeding (the "Action"). We write to update the Court on the status of negotiations between the parties with respect to submitting this matter to arbitration and to request that Your Honor informally preserve the trial date previously scheduled by Your Honor.

By Order dated March 19, 2010, Your Honor scheduled a trial in the Action to commence June 21, 2010. Thereafter, in light of the progress the parties have made toward reaching an agreement to arbitrate the remaining issues, Your Honor entered a Conditional Order of Discontinuance Without Prejudice dated March 30, 2010 (the "Discontinuance Order"). In the Discontinuance Order, Your Honor terminated the Action without prejudice and gave the parties 30 days to apply to the Court to restore the Action to the active calendar in the event that no arbitration agreement is reached. While we remain hopeful that such an agreement to arbitrate is close at hand, until such an agreement is executed, there remains a possibility that the Action will need to be resolved in Court. In light of this possibility, and in light of Franklin Advisers' desire to resolve this Action expeditiously, we respectfully request that Your Honor continue to reserve the June 21st trial date until the earlier of (i) the date on which the parties execute an agreement to arbitrate the remaining issues, or (ii) April 29, 2010 (i.e. 30 days from the date of the Discontinuance Order). If the parties cannot reach an agreement by April 29, Franklin Advisers would like to proceed with a trial on June 21, 2010.

Request GRANTED. The Conditional Order of Discontinuance herein is amended to extend until 4-29-10 the date by which plaintiff may restore the action to the Court's active calendar in the event an arbitration agreement is not reached.

4-9-10 DATE VICTOR MARRERO, U.S.D.J.

Respectfully submitted,

Jonathan L. Hochman

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cc: Lance Gotthoffer, Esq. (by e-mail)